

# HB3377



## 99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3377

by Rep. Jack D. Franks

### SYNOPSIS AS INTRODUCED:

110 ILCS 805/3-7.13a new

Amends the Public Community College Act. Allows for the recall of a member of the board of trustees of a community college district through a petition and referendum and provides for a special successor election. Effective immediately.

LRB099 09496 NHT 29704 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Public Community College Act is amended by  
5 adding Section 3-7.13a as follows:

6 (110 ILCS 805/3-7.13a new)

7 Sec. 3-7.13a. Recall of board member.

8 (a) The recall of a member of the board may be proposed by  
9 a petition signed by a number of electors equal in number to at  
10 least one-third of the average number of votes cast for  
11 victorious board members in the preceding election at which  
12 board members were elected. If only one board member was  
13 elected in the preceding applicable election, the number of  
14 signatures required shall be one-third of the number of votes  
15 cast for board members at that election. A petition shall have  
16 been signed by the petitioning electors who reside in the  
17 community college district not more than 90 days after an  
18 affidavit has been filed with the election authority in the  
19 same election jurisdiction in which the principal office of the  
20 community college district is located providing notice of  
21 intent to circulate a petition to recall the board member. The  
22 affidavit may be filed no sooner than 6 months after the  
23 beginning of the board member's term of office. The affidavit

1 shall have been signed by the proponent of the recall petition.

2 (b) The form of the petition, circulation, and procedure  
3 for determining the validity and sufficiency of a petition  
4 shall be in accordance with the general election law. If the  
5 petition is valid and sufficient, the proper election authority  
6 shall certify the petition not more than 100 days after the  
7 date the petition was filed, and the question "Shall (name of  
8 trustee) be recalled from the office of trustee of the board of  
9 (name of community college district)?" must be submitted to the  
10 electors at the next election at which board members would be  
11 elected, unless the petition is submitted within 100 days  
12 before such election. If the petition is submitted within 100  
13 days before such election, the recall question shall be  
14 submitted to the electors at the following election at which  
15 board members would be elected. A recall petition certified by  
16 the election authority may not be withdrawn and another recall  
17 petition may not be initiated against the board member during  
18 the remainder of the current term of office. Any recall  
19 petition or recall election pending on the date of the next  
20 regular election at which a candidate for board member is  
21 elected or for a board member who has resigned or otherwise  
22 vacated his or her seat is moot.

23 (c) If a petition to recall a board member has been filed  
24 with the election authority, a person eligible to serve as a  
25 board member may propose his or her candidacy by a petition as  
26 is required by the general election law for board candidates.

1       (d) The board member is immediately removed upon  
2       certification of the recall election results if a majority of  
3       the electors voting on the question vote to recall the board  
4       member. If the board member is removed, the candidate who  
5       receives the highest number of votes in the special successor  
6       election is elected board member for the remainder of the term.

7       Section 99. Effective date. This Act takes effect upon  
8       becoming law.